

STATE OF CALIFORNIA

State Energy Resources Conservation
and Development Commission

In the Matter of:)
)
Application for Certification for the) Docket No.
Sunrise Cogeneration and Power Project)
(SUNRISE PROJECT)) 98-AFC-4
)
_____)

INFORMATION HEARING BEFORE:

GARY FAY, HEARING OFFICER

THURSDAY, MARCH 18, 1999

6:42 P.M.

Reported By: Tricia D. Burt, CSR No. 11518

1 BAKERSFIELD, CALIFORNIA;

2 THURSDAY, MARCH 18, 1999; 6:42 P.M.;

3 DERBY ACRES

4

5 MR. MOORE: Good evening. My name is
6 Michal Moore, and I'm a commissioner, and I'm the
7 presiding member of the Sitting Committee that will
8 be reviewing this application.

9 I'm joined tonight by Jan Sharplass, who
10 has a short speech to issue. That's not right.

11 Jan Sharplass is here next to the hearing
12 officer, and we're both, as I said, commissioners at
13 the California Energy Commission. We comprise the
14 committee that will review this application and make
15 a recommendation to our colleagues, which ultimately
16 will result in a decision regarding the
17 certification -- final certification of this
18 application.

19 What I would like to do tonight is I
20 would like to walk through what we're going to
21 present. Commissioner Sharplass and the staff and I
22 are here to get acquainted with the area, to present
23 ourselves to the -- the people that are here, and to
24 help you understand the rules of the system that we
25 operate under and the role that we play in this
26 process.

1 So with your indulgence, while you eat --
2 and please feel free to do that --
3 Commissioner Sharplass is doing that without
4 feeling --

5 MS. SHARPLASS: Embarrassed.

6 MR. MOORE: -- embarrassed or put upon --
7 let me just review a couple of things and introduce
8 people up here.

9 Again, we're -- we're going to be pretty
10 informal through this process, but there are formal
11 issues that we'll attempt to -- the way we run
12 things, who can talk to us without being in a public
13 forum, the nature of the communication that you have
14 to use in order to get to us because we will undergo
15 a kind of transformation after tonight, and contact
16 with both commissioners and certain members of the
17 staff will become more formalized -- more routinized
18 over time.

19 So with that -- and I'm sure that I'll be
20 stopped if I blow it -- I'm going around. Let me
21 introduce some of the people that are here with us.

22 We've brought a great number of people
23 down from Sacramento, not all of whom will travel at
24 future hearings, but many of which you will see
25 again.

26 So let me start on the far right:

1 Arlene Ichien, who is from our legal office from
2 Sacramento.

3 Kristina Bergquist, who is the project
4 manager and represents the California Energy
5 Commission staff. Kristina is the point person that
6 information from the public and the applicant travels
7 through before it reaches the commissioners. So she
8 is literally heading up a team of very specialized
9 people who will produce the documents on this report.

10 She's joined by two staff members:
11 Joe Lawyer, here; and Keith Golden, who is just to
12 Keith's left. And air quality --

13 MR. GOLDEN: Air quality.

14 MR. MOORE: And they're both from air
15 quality -- that's not an issue here because --

16 MS. BERGQUIST: In addition, we also have
17 Rick York, who is the project biologist.

18 MR. MOORE: Good. Rick, why don't you
19 stand up so everyone can see who you are.

20 MR. YORK: Project Biologist.

21 MR. MOORE: And on Ms. Sharplass' right
22 is Rosella Shapiro, principal advisor. Gary Fay is
23 our hearing -- esteemed -- I was looking for an
24 adjective. Our esteemed hearing officer, and he
25 basically represents the commissioners at this
26 hearing. He's a lawyer, and he gives us advice on

1 how to prepare our documents and how to conduct the
2 meetings.

3 On my left is Shawn Pittard, who is my
4 advisor in Sacramento, and Laurie ten Hope, who is
5 advisor to Commissioner Sharplass in Sacramento.

6 And with that, I'm going to ask the
7 project's Applicant to introduce the people at your
8 table, since I don't actually know everyone there,
9 although I probably met everyone, but I don't claim
10 to know them.

11 MR. DINKEL: My name is Paul Dinkel with
12 Texaco Global Gas and Power, and we have down at the
13 far end Steve Clark, who is with our consultant
14 BP & C Contractor Black & Veatch.

15 Next to him is Don Mundy who is from
16 Black & Veatch. He is our transmission consultant.

17 We have Jeff Harris, who is with
18 Ellison & Schneider. They are our legal
19 representation for the CEC process.

20 Dave Stine who is with Raidon
21 International. He is our program manager and our
22 environmental contractor helping us with the ASC
23 application.

24 We have Julie Way, who is also with
25 Global Gas & Power. She is the team leader for the
26 Sunrise Project. And Mervyn Soares who is with

1 Texaco Global Gas & Power. He is our environmental
2 supervisor at the Sycamore Cogeneration Facility.

3 And we have Greg Hardy, who is our public
4 and government affairs manager out of our Bakersfield
5 office.

6 MR. MOORE: Thank you very much. All
7 right. Let me go through a couple of steps just so
8 I -- I will, at various times, have to make sure I
9 get certain items on the record.

10 As you will see, we have a stenographer
11 here who will be capturing the things that are being
12 said. We preserve a written record of everything
13 that is said here in these formal hearings. Not
14 everything that happens at the public workshops,
15 where the public can be invited to come and express
16 their opinions, is recorded so formally.

17 But in any meeting that commissioners are
18 attending, there will be a formal record kept, and it
19 will be used by us in the preparation our of report.

20 Now, as I said, we undergo a fairly
21 formalized process that we have to adhere to, and one
22 of the things that is important for me to note to
23 anyone who is here from the general public who might
24 be tempted to either speak at one of the hearings or
25 submit written materials, the only things that we can
26 act on when we issue an opinion are things that are

1 put on the record.

2 So if you've been thinking something and
3 you're imaging that you can telepathically
4 communicate it to us -- it may reach us; it may reach
5 some of our staff members before it reaches us -- you
6 can do that, but it won't be admissible in the
7 record.

8 So you have to be careful and make sure
9 if there is something that you want us to know that
10 is important to act on as far as the project goes,
11 it's got to be submitted formally in the -- in the
12 record.

13 So let me just say this is an
14 informational hearing. This is for us to get smart
15 about the project, see the site, meet some of the
16 people that are involved, and it's the first public
17 event for this project that's been conducted as a
18 part of our licensing procedures.

19 We sent notice of today's hearing to all
20 parties: adjoining landowners, interested
21 governmental agencies, and other individuals, as of
22 February 25 of this year.

23 In addition, notice of today's event was
24 published in a local newspaper, and you know what?
25 I failed to introduce our public advisor
26 Roberta Mendonca.

1 Roberta is an independent agent. She is
2 appointed by the governor, works in the CEC building,
3 and her job is to make sure that the public has
4 access to the process and to the commissioners via
5 these public forums in order to get us information.

6 So when there is an informational item
7 that's placed, I'm assuming that Roberta is aware of
8 it and is helping to make sure that it's properly
9 done and properly noticed and that you have access to
10 all of us.

11 Typically, when we come to a hearing like
12 this, Roberta will make sure that people have access
13 to a blue card, not to be confused with the blue
14 envelopes which we expect money to be put in for us
15 at the end.

16 The blue cards are to sign up and make
17 sure that we know and can kind of stage who we are
18 going to have speak, just so we know about
19 what they're going to say.

20 So the person who is coordinating public
21 input -- if you have questions about what we're
22 doing, why we're doing it, when the next meeting is,
23 Roberta is the person that you'll contact, and she
24 will be very happy to make sure that you have all the
25 information and access that you need.

26 MS. MENDONCA: Thank you. Will I have a

1 moment or two later?

2 MR. MOORE: No. (Laughter.)

3 Yes. When I finish my remarks, I'm going
4 to be asking various parties to come and talk.

5 Documents that pertain to today's hearing
6 include a staff-issues identification report that was
7 filed on March 8 and --

8 Kristina, those are available on
9 the table --

10 MS. BERGQUIST: On the back table.

11 MR. MOORE: On the back table. So if you
12 want to see what we've published so far, what we know
13 about this in the public so far, those reports are in
14 the back.

15 The purpose of today's hearing is to
16 provide a public forum to discuss the proposed
17 project, Sunrise Cogeneration and Power Project
18 to be exact, and to describe our review process and
19 to identify the opportunities that any of you have to
20 participate and communicate with us.

21 All right. It was scheduled prior to
22 this hearing, to visit the -- I'm sorry. Was
23 scheduled in order to allow people to get out and see
24 the site including the commissioners.

25 So the process that we run is
26 approximately a year in length. It's designed to be

1 pretty tight. Just not only to afford the
2 Applicants the ability to get into the market and be
3 competitive, but also to make sure that we don't
4 dottle and that we do our job and that we get the
5 documents and the review process done on time.

6 The commissioners who are conducting this
7 are, as I said -- are fairly formalized in the
8 process that we have to undertake.

9 We will produce at the end of this a
10 document known as "The Presiding Members Proposed
11 Decision."

12 That does not mean that I will produce
13 such a report and ignore the wishes of the second
14 member of the committee. It's titled that way, I
15 think -- historically, the document that will be
16 produced will represent the opinion of both
17 commissioners here and our feelings as to not only
18 whether the project ought to be certified, but the
19 conditions under which it would be certified in
20 mitigation -- measures that it would have to
21 undertake should it be certified.

22 Now, I've got to tell you something about
23 how you can contact us, and we have very, very strict
24 rules regarding this established through our own
25 regulations and through a thing called "California
26 Administrative Procedures Act," which expressly

1 prohibits under penalty of law, off the record
2 contact between any of the participants in this
3 hearing and the commissioners and our staff.

4 So as of tonight, there is a formal rule
5 known as "ex-parte contact" that will be in effect,
6 and any communications that's made to us will come
7 through our hearing officer or through the project
8 manager and will be literally docketed, put in the --
9 in the docket record as commissioned and made
10 available for the -- for everyone in the public to
11 see.

12 It's a very open process. So no one is
13 going to have communications with us -- a secret of
14 some kind or cut a deal with us behind anyone's back.
15 Everything we do will be out in public. Everything
16 we do you will know about. And if we issue an
17 opinion on something, it will be published.

18 The purpose of the rule is to make sure
19 that everybody gets full disclosure, everyone
20 understands the rules of the game, and that you
21 understand the nature of the information that's out
22 there.

23 I want to inform you that there are
24 people out there known as intervenors. And if you're
25 for the project and they're not, then they're bad
26 people; and if you're for the project and they're for

1 the project, then they're good people. But the
2 intervenors are people who are interested and want to
3 participate in the process in a very formalized way.

4 We have already received petitions from
5 various agencies who know they want to intervene,
6 that is, participating in a routinized way where they
7 receive copies of everything that goes into the
8 docket; and if they opine about something, they will
9 make sure information travels to everyone else, every
10 other intervenor, as well as in the public record.

11 So I want to inform the record and the
12 public a little more formally here that petitions to
13 intervene have been filed by the California Unions
14 for Reliable Energy, otherwise known as CURE; and by
15 La Paloma Generating Company, LLC.

16 CURE's petition was granted by us. They
17 were granted status as an intervenor on March 11 of
18 this year; the La Paloma and High Desert petitions
19 for limited intervention were granted today.

20 All right. Now, just a note on
21 procedures. During the course of today's hearing
22 we'll proceed in the following way: First, the
23 commission staff, in the form of Kristina, I believe,
24 is going to present an overview of the licensing
25 process and it's role, the staff role in reviewing
26 the Sunrise Cogeneration and Power Project.

1 I'm going to turn, finally, to
2 Roberta Mendonca, if she gives me her blue card with
3 here name on it, who is our commission's public
4 advisor, and she is going to explain how to get
5 information about the process, how to get access to
6 our to our web site. We're doing a lot more,
7 electrically.

8 So for those who don't have a computer
9 but can get to your public library where they do have
10 one, you can get a wealth of information
11 about what we are doing, what we are saying, what the
12 schedules are simply by going to the web site.

13 Then I will turn to the Applicant who
14 will describe the proposed project and explain their
15 plans for developing the project site, and at the end
16 of that, anyone who really is still here and
17 interested, will be asked to comment on that.

18 Following that, we'll turn to the
19 questions and scheduling. We'll try and let you know
20 how fast this process will go along and what we
21 expect to be happening at the various stages.

22 Any questions on what I've just talked
23 about?

24 There's more food outside. So if you
25 feel like having more, feel free to partake, and with
26 that, Kristina -- I'm sorry. Jan, let me go back to

1 you.

2 Do you have anymore comments?

3 MS SHARPLASS: No.

4 MR. MOORE: Good.

5 Kristina, I'm going to turn to you and
6 ask you to give the staff presentation.

7 MS. BERGQUIST: Do it twice more and hold
8 the keys down separately.

9 Welcome everyone. Again, my name is
10 Kristina Bergquist. I'm the project manager for the
11 Sunrise Cogeneration Power Project, and I'm here this
12 evening in part to explain to you a little bit about
13 the -- what we do as the Energy Commission. We
14 staff the Energy Commission in the process through
15 which we work.

16 The Energy Commission has permitting
17 authority on thermal power plants over 50 megawatts
18 or greater. It also has permitting authority over
19 any facility that is associated with the power
20 plants, such as a transmission line, water lines,
21 natural gas pipelines, any other pertinent facility.
22 And the Energy Commission, in this instance, serves
23 as the lead agency for the purposes of complying with
24 the California Environmental Quality Act.

25 We do, through our certification
26 process -- we produce a document that is the

1 equivalent to an Environment Impact Report. And we
2 also are the -- this is sort of a "one-stop-shop" for
3 permitting purposes.

4 We sort of work very closely with
5 federal, state, and local agencies in meeting their
6 concerns and needs, and in many instances, I'm glad
7 to see we have one of our -- our local agencies here
8 tonight.

9 This, by the way, is Chuck Dixon, who is
10 with the Kern County Fire Department.

11 The Siting Process involves a 12-month
12 review period or process. And we start off with
13 prefiling review, which you've already completed,
14 followed by Data Adequacy, which their application
15 for certification was found to be data adequate,
16 which their application for certification was found
17 to be data accurate.

18 And, now, we are at the discovery phase,
19 which is where we -- we conducted this informational
20 hearing. We do site visits. We do data requests.
21 We have workshops. We do scoping, and then finally
22 we'll go into a period we call the "Analysis Period"
23 where we will prepare the preliminary staff
24 assessments. We do workshops, and, finally, we end
25 up with the final staff assessment.

26 MR. MOORE: Kristina, why don't you

1 explain what "workshop" means.

2 MS. BERGQUIST: A workshop? Workshops
3 are held by the staff as they are meant for the
4 Applicant, they're meant for the public, or
5 interested parties. They're meant for the
6 intervenors. They're meant for all of the -- you
7 know, all the responsible agencies, and trusting
8 agencies, and usually they are there as a theme or a
9 reason for that workshop.

10 And it might be that there is a lack of
11 understanding as to what exactly is wanted from -- by
12 the Applicant on certain issues. Let's say, for
13 instance, on air quality. And so all these parties
14 meet in a noticed public forum where they work out
15 any issues that might have arisen around a subject
16 area, and air quality is just something I picked out
17 of the air. It could be on anything, really,
18 literally.

19 Finally, we go through a period of
20 evidentiary hearings which are conducted by the
21 commission and then finally followed by a decision.

22 And then, very importantly, the
23 commission establishes a set of conditions under
24 which they will issue the permit and evolve into what
25 is finally known as the "compliance" or "monitoring"
26 phase.

1 So that means we have staff that goes out
2 and literally checks to see whether the terms and
3 conditions of the permit are actually being
4 fulfilled.

5 Again, just to sort of back up, what
6 Commissioner Moore was saying, this is a very open
7 public project. When we conduct workshops and
8 hearings, we notice them. You know, we notice them
9 10 to 15 days in advance. And we also establish
10 mailing lists. That is to say -- tonight, by the
11 way, there is a sign-up list being circulated around
12 the room, and I -- if you were interested -- first of
13 all, we would like to know that you are here; but if
14 you're interested in receiving all of the notices and
15 other items that we mail out, please check that upper
16 right-hand box.

17 Here locally where you could obtain
18 copies of the AFC, which is huge by the way. I mean,
19 there's people who already (inaudible) which only
20 has one volume of a two volume set. Most of the
21 Volume II are technical appendices.

22 I mean, I don't want to get that in-depth
23 on the project. We placed these in the area at the
24 main library in Bakersfield; at the Taft branch
25 library, Buttonwillow; the Energy Commission library
26 in Sacramento. We also make a lot of these documents

1 available on our web site, which is
2 [www.energy.ca.gov/siting cases/sunrise](http://www.energy.ca.gov/siting_cases/sunrise).

3 You also you can get a copy -- an actual
4 paper copy of the document by going to the dockets
5 unit at the Energy Commission in Sacramento.

6 Now, earlier Commissioner Moore was
7 talking about how things are run, and it's a real
8 tight ship. And what is most unusual in terms of the
9 process is the so-called ex-parte rule, if you
10 would.

11 And as you can see from this diagram,
12 that communications -- for instance, staff does not
13 communicate directly with the committee. It does not
14 communicate directly with the commission. It talks
15 to the intervenor. It talks to the Applicant. It
16 talks to agencies. It talks to the public -- public
17 advisor, but it does not communicate with the
18 commission or the committee for this project.

19 In turn, you can see the agencies are --
20 can communicate with the committee and the
21 commission. And also that the public can as well.

22 MR. FAY: Kristina, can I just interject?
23 I just want to make it clear that what I think what
24 she means is that the only way the staff or anybody
25 below that line communicates with the committee is
26 either in a hearing like this, a public hearing, or

1 in writing that is submitted to the docket where
2 anybody can go to the docket and see that
3 communication.

4 So members of the public, the Applicant,
5 agencies, et cetera, could write to the committee,
6 but it would be a docketed item and the writing would
7 be made public.

8 MS. BERGQUIST: As I said earlier, the
9 Energy Commission is a state lead agency for the
10 California Environmental Quality Acted.

11 And also in this instance in particular
12 with this project, we'll be working with the
13 United States Bureau of Land Management and the
14 U.S. Fish and Game. We'll be working very closely
15 with the California Department of Fish and Game. We
16 will be working closely with Kern County. Also,
17 we'll also be working closely with the San Joaquin
18 Unified Air Pollution and Control District and also
19 with West Kern Water District.

20 Staff's role in this project will be to
21 review and analyze the Sunrise Cogeneration Power
22 Project and that includes the switchyard; switching
23 station; interconnecting pipelines, such as fuel,
24 which would be natural gas in this instance; and
25 potable, produced waste water.

26 We'll also look at a 14.5 mile 230-kV

1 electric transmission line. It will be reviewed,
2 analyzed -- what is known as the "TNAP utility
3 corridor." The effected area of The Midway-Sunset
4 oil field expansion, and the 20-inch natural
5 gasoline, which interconnects with the Kern-Mojave
6 pipeline.

7 Staff will focus on issues related to
8 public health, safety and welfare, environmental
9 consequences, and engineering aspects of the project.

10 In its review and analysis, the staff
11 will examined as to whether there is compliance or
12 conformance with laws, ordinances, regulations to
13 standards, environmental assessment.

14 They will identify the environmental
15 impacts, if you would; and, therefore, the
16 consequences; identify what you can do to mitigate
17 the so-called consequences; recommend -- make
18 recommendations for certification, conditions for
19 certification; and also look at the various
20 alternatives to the project which have been proposed.

21 It would also -- it will also facilitate
22 and coordinate public and agency participation, such
23 as issue resolution and also work very closely with
24 all of the federal, state, and local agencies, which
25 they will coordinate their licenses and permits.

26 And, finally, here is the -- a particular

1 slide which you may be interested in. This gives you
2 our -- all of the contacts that have been explained
3 by Commissioner Moore to you this evening, and these
4 are available as part of the handouts we have here in
5 the front table; so I would suggest that you go and
6 grab one.

7 At this point, we are going to end this
8 part of our -- our informational hearing and back to
9 Mr. Fay.

10 MR. FAY: Well, let me turn to the
11 public advisor and ask her to introduce herself and
12 her office and what she does.

13 MS. MENDONCA: Hi, I'm Roberta, and I
14 guess at the beginning -- I have a name that's not
15 very easy to pronounce. So my last name is Mendonca
16 and the clicker in it is the "C" is actually
17 pronounced like an "S," but it's okay. I answer to
18 Roberta, and I do have an 800 phone number that is
19 also included in the information over there and
20 accessible on the internet, and I can give you my
21 direct line as we're speaking this evening, should
22 you want to call me directly.

23 "The Office of the Public Advisor." Why
24 do we have an office of the public advisor? Well,
25 I'm not a commissioner; I'm not a decision-maker; and
26 I'm not a part of the staff. I'm here --

1 specifically, my position was specifically created to
2 enable the public to take part in what is something
3 of a complicated process.

4 For example, you probably heard some
5 words tonight that you're not very comfortable with
6 like "docket." Everybody's talking about the docket.
7 Well, what's the docket? The docket is like a great
8 big file cabinet, and everything in this process gets
9 put into the file cabinet. But, interestingly, when
10 the commissioners sit down and make their decision,
11 they can't just go to this big file cabinet and say,
12 "Well, this is in the file cabinet." They have to
13 rely on what's called "the record," which is only
14 taking part at the type of meeting that Mr. Moore
15 mentioned -- Commissioner Moore mentioned, which is a
16 formal evidentiary, which is a hearing to decide on
17 issues.

18 So part of this process -- I'm here to
19 simplify and make it accessible to you, and one of
20 the things that you might want to know about, what
21 has been mentioned, is the term "intervenor."

22 An intervenor is a person who would like
23 to be a part of the process. You can be a
24 cheerleader intervenor and love everything that's
25 going on or you can be a concerned citizen intervenor
26 and just want to make sure that the noise level or

1 the air quality or particular parts of this
2 particular process makes sense to you: Where you
3 live, your family, your school, your own neighbors.
4 And that type of intervention is welcome. All you do
5 is you go out and ask the Commission -- you fill out
6 a petition in my office. We'll get you the forms and
7 help you with that process.

8 Intervention is easy. I would only
9 warrant that it should be done early. And the reason
10 that you would want to intervene comes back to the
11 whole concept to the types of hearings -- workshops
12 are relatively informal.

13 You can come as a member of the public
14 and offer your opinion and people consider it and
15 take the thoughts and react upon it; but when the
16 commissioners sit down at the final decision time,
17 they can't take into account your input unless it
18 becomes a part of that special part of that file,
19 unless it's a part of the evidentiary record, and the
20 only way you can do that is to testify at one of the
21 formal hearings.

22 The public can make public comments,
23 which is important, and it is considered, but only
24 intervenors can testify. It's that element that
25 becomes a part of the decision-making process.

26 So the public advisor is an attorney, and

1 I'm a lawyer, and I'm here to make it easy for you
2 all to participate at any level that want; so,
3 please, do call upon me. Thank you.

4 MR. MOORE: Thanks, Roberta.

5 Let me just add that we conduct a very
6 open public process here, and when the public comes
7 to speak to us, then both commissioners take note of
8 it. We're conscience about that, and we include
9 whatever is said in our own deliberations.

10 You don't have to be an intervenor to be
11 heard by us. Being an intervenor is a formalized
12 role. It's a highly responsible role.

13 Everyone who has had practice in being an
14 intervenor who has been in the process knows that
15 there is a great deal of responsibility that goes
16 along with being an intervenor. It's not casual.

17 And as a consequence, when you are in
18 that role and you want to serve papers to us, you
19 have to serve every other intervenor. So you have to
20 be responsible in that way. You have to be
21 responsible in the sense that you can be
22 cross-examined as a witness.

23 So it's a burden. It's an opportunity
24 but a burden as well. So I just want to assure you
25 that that process is available to anyone who wishes
26 to partake of it. They can petition us to be an

4 With that, let me turn to the Applicant
5 and ask for your presentation and --

7 MR. DINKEL: Yes. We're going to use the
8 overhead projector.

10 MR. DINKEL: While they are setting that
11 up, my name is Paul Dinkel. I'm with Texaco Global
12 Gas and Power. I would like to thank
13 Commissioner Moore, who is responsible for the
14 staff -- members of public for coming here tonight
15 and giving us a chance to talk about our project.

21 The owner of the project is Sunrise
22 Cogeneration Power Company, and we're essentially a
23 wholly owned subsidiary of Texaco Inc., and it's
24 going to be developed by the local Gas and Power unit
25 within Texaco, Inc.

1 at the table. The project development team consists
2 of Texaco Global Gas and Power; Black and Veatch, who
3 are our EP & C contractors; Radian International, who
4 is our metal contractor; Ellison & Schneider, who is
5 our outside legal counsel; and also McCutchen, Doyle,
6 Brown & Emersen, who is also an outside legal counsel
7 for the project.

8 Give you a little overview of what the
9 project is: It's a 320 megawatt cogeneration
10 facility. The total cost is approximately
11 \$200 million. It's going to be developed on an oil
12 field site, about a 20-acre parcel.

13 We're going to be using two general
14 electric 7FA Turbines. They will be installed to
15 provide combustors to lower emissions of gas. We're
16 going to also use Ammonia Type SCR Systems. This
17 will bring our gas emissions down from 2.5 parts per
18 million level, which is just a little control vent.
19 It will be natural gas fired.

20 We'll not use any other fuels in this
21 project. Natural gas is the only fuel that we'll
22 use. We'll also produce about 1.8 million pounds per
23 hour of steam, which will be sold to a thermal host
24 which will use it for enhanced load recovery
25 injection into the oil field for recovering oil.

26 We will also have a 15-mile, 230 KV

1 transmission line, which will interconnect into the
2 existing California Department of Water Resources
3 PG&E line, which is east of our site near
4 Buena Vista Lake.

5 Near the California Aqueduct is where it
6 will tie into this existing transmission line. It
7 will have two substations, one at the project site
8 which will be called Sunrise Substation and one at
9 the interconnection point into the water resource
10 line which will be called the Valley Acres
11 Substation.

12 This is kind of a map that is kind of
13 hard to see, but this is where our plant site is.
14 We're right here at Derby Acres, and as you can see
15 the actual site is here. Our transmission route will
16 run east and come over to the point where it
17 interconnects with the water resource line, and this
18 is where Valley Acres Substation will be connected in
19 that existing lot.

20 That line then goes in this direction
21 back up midway where it -- which is a major
22 substation where this power will eventually end up
23 at.

24 This here is a conceptual -- it's kind of
25 out of focus -- conceptual layout of the facility.
26 And what we have here are the two General Electric

1 7FA Turbines. These are the steam generators. These
2 are the stats for the steam recovery generators.
3 This is a (inaudible) water tank.

4 This is the Sunrise Substation, and the
5 transmission line will end up going due east to the
6 Buena Vista area where we have the Valley Acres
7 Substation about 15 miles to the east.

8 Texaco has previously permitted several
9 other similar projects through the Energy Commission.
10 These are over at the Kern River oil field. These
11 are both enhanced oil recovery projects, cogeneration
12 projects. They're both 300 megawatts in size. It's
13 the Sycamore KRCC Project. They were certified in
14 1986 for the Sycamore Project and 1983 for the
15 Kern River Project.

16 This is a photo which is upside down,
17 flipped around. This is a photo of the -- I believe,
18 it's either the Sycamore or Kern River -- one of the
19 300 megawatt projects that we licensed and has been
20 operating for the last 10 years.

21 This one uses -- it's four units, and
22 they're utilizing GE7FE Turbines, which is a little
23 smaller than the turbines that we're planning to use.
24 We're using -- we have four different turbines that
25 produce 320 megawatts. We're going to have two
26 turbines creating 320 megawatts plus steam.

1 it's going to generate about \$300- to \$400 thousand
2 in sales tax. Once we're going in operation roughly
3 \$90,000 a year in sales tax will be generated.

4 Looking at the actual property tax, this
5 project will generate about \$1.9 million. The bulk
6 of it going to schools, about \$1.2 million.

7 As far as once the plan is operational,
8 local purchases for materials and supplies of about
9 1- to \$1.2 million a year.

10 Looking at some of the environmental
11 controls at this particular plant, we'll incorporate
12 them implied with the best available control
13 technology. We're going to utilize valuable
14 combustors on our gas turbines. And we're going to
15 coordinate that -- or incorporate that with the
16 SCR System and the NOx Emissions at 2.5 parts per
17 million.

18 We'll also have a continuous condition to
19 monitor the system to make sure that we comply with
20 those emissions.

21 Looking at land uses: The site is going
22 to be on a 20-acre parcel. This parcel will be
23 subdivi--- -- or the land that it's on right now will
24 be subdivided into a 20-acre parcel. It will be
25 permitted and compatible land use. And for the
26 substation -- the Valley Acres Substation, which is

1 15 miles east of the site, we're planning to purchase
2 that land when we build the Valley Acres Substation.

3 Looking at some of the utility
4 interconnections. We're going to be supplying about
5 1.8 million pounds per hour of steam to the thermal
6 host for advanced oil recovery. We're going to be
7 receiving soften feed water, which is the oil field
8 produced water that is softened and treated that we
9 will use for our feed water for the bulk of our water
10 needs.

11 Nature gas will come from the Kern-Mojave
12 Pipe line. Right now there is an existing line which
13 you saw. We're going to be putting a 60-foot lateral
14 into that line to connect to our gas turbines.

15 We're going to have a couple -- we're
16 going to have a couple of injection wells for
17 start-up steam. The non-hazardous wastewater we have
18 will go to the Valley Waste system for disposal, and
19 the fresh water will come to the West Kern Water
20 District. We have an existing line that is just of
21 south of our site that we will tap in. We will be
22 using very minimal amounts mostly for firewater and
23 potable water.

24 Looking at our schedule: We filed our
25 AFC last December. We were deemed "data adequate"
26 last month. For right now we have a one-year CEC

1 review process. We're expecting our permits to be
2 issued in the first quarter of the year 2000.

3 Construction would start right after we
4 received the permits, and then commercial operation
5 is planned the second quarter of 2001.

6 And that's the end of the presentation.

7 I would be happy to answer any questions
8 that anyone might have.

9 MR. RUDNICK: My name is Phil Rudnick
10 (phonetic), and I'm a landowner and farmer in the
11 general area here in Kern County. With reference to
12 the energy that you'll be marketing through the
13 grid --

14 MR. DINKEL: Yes.

15 MR. RUDNICK: -- is there -- has there
16 been any consideration for marketing that to the
17 agricultural community here in Kern County and some
18 kind of a priority customer?

19 MR. DINKEL: One the things we're looking
20 at for our power is to either sell it into the power
21 exchange, or we're certainly interested in any
22 bilateral contracts with third parties. If it makes
23 sense for both parties, we'll certainly look at that.

24 MR. RUDNICK: Would you be the one to
25 talk to in regard to that?

26 MR. DINKEL: Yes.

1 MR. MOORE: Yes, a question
2 here.

3 MR. POLLACK: I'm -- my name is
4 Bruce Pollack (phonetic), a homeowner in Derby Acres
5 here. I was wondering what the impact would be on
6 the noise level of the area?

7 MR. DINKEL: Some of the results,
8 Dave Stine our program manager with Radian, would
9 like to answer that.

10 MR. STINE: We -- we did some noise
11 modeling. It's a very conservative noise modeling,
12 which is presented in this large application, a copy
13 of which is on the front table there. And the
14 conclusions of that -- that modeling show that the
15 noise impact would be essentially inaudible in the
16 communities around the site, Derby Acres.

17 MR. MOORE: Let me point out that the
18 reports that contain that information that Dave was
19 just talking about will be at the library. You can
20 get access to them. If you want to see the actual
21 numbers or you want to see the contour lines they use
22 to show how far out a different noise level would go,
23 it's in those reports.

24 MR. POLLACK: How would that compare to
25 the other cogen site that is up on Crocker Road?
26 That's the one we hear pretty regular.

1 MR. MOORE: We --

2 MR. POLLACK: This one being a new one,
3 we're hoping we won't hear it at all.

4 MR. MOORE: Right. Well, the -- the
5 information we've had so far is that the turbine
6 engines that they're talking about using are actually
7 quieter than the previous generation. Even though
8 they're producing more power, they're quieter than
9 the previous generation of engine; so my -- the
10 information we have so far would suggest that you
11 won't hear it here in town.

12 Well, with that, thank you very much.
13 Let me turn to Mr. Fay, and I'm going to ask him to
14 talk about scheduling and some of the things that the
15 committee is going to be doing with regards to asking
16 the Applicants for information via the staff and the
17 next set of meeting that we'll be going through.

18 Mr. Fay?

19 MR. FAY: Thank you, Commissioner Moore.

20 The staff has prepared its
21 Issues Identification Report. And on the back of
22 that -- and I hope you've had a chance to grab a copy
23 of that report. On the back of that is a proposed
24 schedule. It's their first cut at a schedule. I'm
25 going to ask Ms. Bergquist to go over the report and
26 also review the schedule.

1 The committee will be looking at the
2 schedule and in about two weeks, issue a scheduling
3 order that will bind the parties -- subject to any
4 change -- will bind the parties up until the time
5 they're ready to get into evidentiary hearings.

6 Where this could be useful for you, is to
7 look over the schedule and see how it fits into your
8 plans in the near term future.

9 If you want to attend the workshops,
10 they're going to occur during the discovery phase,
11 and so the time is mapped out for that phase is the
12 time you would want to be aware that there would be
13 notices -- public notices coming out when you might
14 want to come to a workshop on -- for instance biology
15 or noise regarding the question that just came up.
16 That would be your chance to hear the staff and the
17 Applicant have an informal give and take, less formal
18 than this, and you can ask your own questions or
19 point out things that you personally observed that
20 maybe the Applicant wasn't aware of or staff was not
21 aware of, and the -- actually, the staff does take
22 these comments into account, and if they agree with
23 them, they would modify their analysis accordingly.

24 So if you do have a curiosity and/or
25 concern, come to those workshops. The schedule will
26 help you target those.

1 We will take the schedule -- the
2 committee will take the schedule right up to the
3 pre-hearing contract. That is after the end of what
4 we call the discovery phase.

5 In other words, the parties have
6 discovered all they feel they need to know about the
7 project. The staff has issued a preliminary report
8 on the project and has put that out to the public,
9 and then we have pre-hearing conference where we
10 decide what issues need to be adjudicated by the
11 committee, really formal evidence by the committee
12 and which issues have pretty much been resolved to
13 the satisfaction of the parties, and if the committee
14 agrees, there won't be as much time spent on those
15 issues.

16 And at the pre-hearing conference, we
17 hear from everybody as to what the status of the
18 record is at that time and that allows the committee
19 to create a hearing order based on the information
20 that they learned at the pre-hearing conference. And
21 the hearing order was scheduled. The evidentiary
22 hearing, that's the hearing where we swear witnesses
23 to tell the truth and they come up on the stand, just
24 like a civil trial, and they testify as to this
25 data and biological resource, Mr. York will be the
26 witness to testify, yes, did he did an analysis of

1 this project, and here's what he thinks of it as a
2 result.

3 And Texaco -- the Applicant will possibly
4 cross-examination Mr. York or if they think
5 everything he says is terrific, they would probably
6 just leave it at that, but other parties like CURE
7 may put on witnesses, may cross-examination the
8 witnesses that the staff and the Applicant put on,
9 anybody else that intervenes will have the
10 opportunity to do that, and that's one of the big
11 differences between following the case as a member of
12 the public and coming to the events, keeping yourself
13 informed and intervening. If you intervene as a
14 party in the case, you could put on witnesses. You
15 could present formal testimony; but if you do, you're
16 subject to cross-examination.

17 So that's one of those benefits and
18 burdens. It's a two-sided thing, and you just have
19 to decide how deeply involved you think your interest
20 to be in a case, and we can advise you as you go
21 along. But it's everybody's individual decision at
22 what level they want to participate.

23 So I would like to turn it over to
24 Ms. Bergquist, and then we may discuss this further
25 after she goes through the scheduling and issues
26 report.

1 MS. BERGQUIST: One thing that has been
2 made available to you in the handouts today is what
3 we call our "Issues Identification Report." This is
4 a report that we produce based on our review of their
5 application and any supplemental information they may
6 have produced; and after reviewing, making data
7 requests, and receiving additional information from
8 that information, we look at those issues which
9 appear to be -- well, possibly for reasons that they
10 might cause a timing problem. They might hold up the
11 issuance of the -- of the report; they might -- they
12 might cause -- there might be a disagreement amongst
13 parties, and in these issues we identify a total of
14 three.

15 And I'll start with one that I identified
16 because it more or less covers the entire project
17 which is we determined that the application for
18 certification, the supplemental materials, did not
19 identify what we called "Indirect and Accumulative
20 Impact of the Project." The project itself has
21 direct impact just because it's built on a piece of
22 land, and it has a transmission line and it has
23 certain pipelines. But in addition to that, it may
24 have a causal relationship to things that seem wholly
25 unrelated. This is -- in terms of accumulative
26 impacts, it is those impacts that occur out there in

1 the -- you know, within the area within the
2 reasonably conceivable future that are similar in
3 size and nature.

4 So, for instance, if you work a La Paloma
5 which is the U.S. generated co-project, we would look
6 at Elk Hills, which is another project being
7 proposed, and to the extent that that information, we
8 would also look at Midway Sunset's intention to
9 put in another 500 megawatts as well as any other
10 similarly sized project in the -- in the area.

11 So that's sort of the basic definitions
12 of those two things. And what we found in our review
13 of the material submitted was that we needed more
14 information on -- on these -- what we perceived as
15 indirect impacts.

16 And so there appears -- the issue at
17 heart here seems to be that there is a potential for
18 disagreement about -- between the Applicant and the
19 Energy Commission staff and other parties including
20 CURE, that there has not been active discussion of
21 these indirect impacts. As a result, we've asked for
22 a lot of information in addition to that which was
23 provided on what is known as the "Interconnecting
24 Utility Quarter," which brings the natural gas,
25 water -- produced water to the plant and takes out
26 the waste water and provide steam to the oil

1 fields.

2 And further -- but what we will do to
3 resolve this issue is we will work very closely to --
4 we will work very closely with the -- we will work
5 very closely with the Applicant and also other
6 interested parties in an attempt, you know, to come
7 to a mutual understanding of what the project is
8 constituted of.

9 And hopefully through a series of
10 workshops and discussions and negotiations, we will
11 come to a meeting of the minds.

12 But what I was saying earlier, the reason
13 that we talk about issues one thing that might create
14 an issue is a project impact may be such that you
15 will never be able to mitigate it to a level of less
16 significance, and the project, as proposed, may not
17 apply to laws, ordinances, regulations, or standards,
18 which we also call "LORS."

19 And third -- this is the instance in
20 which I'm speaking of -- the potential conflict over
21 findings and conditions of certification.

22 So the second issue area that we
23 identified was the biological.

24 Oh, as I said earlier, I identified the
25 three areas as being, which I just talked about,
26 indirect and accumulative impacts, air quality, and

1 then biological resources, and there are certain
2 potential scheduling issues. There -- we are
3 required to work with the San Joaquin Valley Unified
4 Air Pollution Control Permit so that they can issue
5 their -- their permits. Sometimes there is problems
6 with these not being issued in a timely fashion; and,
7 secondly, we also do obtain a biological consultation
8 from the U.S Fish and Wildlife Service and California
9 Department of Fish and Game.

10 Sometimes this becomes a scheduling
11 problem because they take a long time to obtain; and,
12 thirdly, PG&E must conduct a transmission line study
13 and these may potentially hang up our normal process.

14 The area beyond indirect and accumulative
15 impacts that we picked up -- and it's sort of -- it
16 kind of almost feeds off the indirect and
17 accumulative impacts because here we have the
18 indirect impacts of the TNAP utility corridor, new
19 and relocated steam generators, expansion of the
20 Midway-Sunset oil field. Well, that's all part and
21 parcel of the difference in our view of what things
22 of our impact is and also that of the Applicant.

23 And also another potential area is the
24 air quality offsets, emissions reduction credits. We
25 know that the Applicant is acquiring these, but we
26 don't know what they are. So, again, it's area that

1 could be a potential issue.

2 What we see right now is we hope to
3 obtain a preliminary determination of compliance from
4 the San Joaquin Valley Unified Control District on
5 June 17 -- our best shot. Then we will be able to
6 produce a preliminary staff assessment by August 2,
7 and a finally a final determination of compliance
8 from the -- again, from the San Joaquin Unified --
9 San Joaquin Valley Unified Control District by the
10 16th of August and then finally our final staff
11 assessment by the end of September.

12 Biological resources begin -- their
13 issues again spin off a difference and definition of
14 the impacts that we see that are emanating from this
15 particular project. We feel that there are going to
16 be indirect impacts to habitat in the Midway-Sunset
17 oil field that will be provided steam by this power
18 plant. We also feel that -- well, we will have to
19 very closely coordinate with the California
20 Department of Fishing and Game and the U.S. Fish and
21 Wildlife Service and The Bureau of Land Management.
22 This could be a very time-consuming process and
23 perhaps might even be a very difficult and
24 complicated one.

25 And finally the Applicant is encouraged
26 to prepare what is known as a "Biological Resource

1 Mitigation Implementation and Monitoring Plan," and
2 this must be completed in a timely fashion. There is
3 a potential for that to become, perhaps, difficult;
4 but as with the definition of the impacts, both
5 accumulative and indirect, we will work very closely
6 with the Applicant, with other interested parties,
7 and in this instance we will work very closely with
8 the U.S. Bureau of Land Management, with the
9 California Fish and Game, and the Wildlife Service to
10 resolve these difficulties of this essential issue.

11 We can jump by that one. And here is the
12 schedule. It's a first cut at it. Pretty much this
13 is available on the backside of the Issues
14 Identification Report. That is up here at the front
15 table. Basically, you can see that hopefully; and, I
16 think, the Applicant mentioned this: If things go
17 this well, we don't have any real big hitches, we
18 hope to be able to have -- the Commission will adopt
19 a decision by mid-February of the year 2000.

20 The end. So that's the end of my report.

21 MR. MOORE: Thank you, Ms. Bergquist.
22 Before I ask the Applicant's response, let me turn to
23 Ms. Ichien and ask you in the process here the staff
24 will be negotiating with the Applicant to try and
25 make sure that we get the information we need in the
26 time allotted and in a form that the committee can

1 use to make a decision.

2 Can you describe the role that Counsel's
3 office plays in terms of getting that information. I
4 mean, at some point what is our "request power," if
5 you will, to make sure we get what we need after we
6 have negotiated the -- as well as we can.

7 MS. ICHIEN: During the phase of
8 discovery when the staff and other parties are
9 sending data requests to the Applicant and possibly
10 other parties asking for information for the staff to
11 complete it's analysis, there will be workshops where
12 we will be discussing the data requests, clarifying
13 them to the extent that there is disagreements over
14 the relevance of the data requests. We will try to
15 iron out those difference in publicly held workshops.

16 There may come a time, and, in fact, I
17 think the Applicant has already filed formal
18 objections to some of our data requests. And so
19 depending on what those objections are, the staff may
20 agree with the reasons for the objections; the staff
21 may disagree. And if the staff disagrees and
22 believes that the information requested is
23 relevant and necessary for our analysis and
24 contributes to a decision in this case, then we have
25 the option of filing what is called a "motion to
26 compel."

1 And we would file that with the Committee
2 and serve it on all parties, and it would be publicly
3 available in the docket and probably also posted on
4 the web site for the public. That motion to compel
5 is a request to the committee asking that they issue
6 an order to compel the Applicant to provide the
7 information requested.

8 And, typically, when such a filing is
9 made, the Committee will hold a hearing and receive
10 oral arguments from the parties as to whether -- the
11 pros and cons of compelling the Applicant to provide
12 the data requested, which is all to say that all
13 parties, including the staff and intervenors and the
14 Applicant, have the right under our regulations to
15 ask for in writing, information from each other for
16 purposes of doing their respective analysis or
17 comparing their respective pieces of testimony. And
18 if we run into difficulty, even after attempting to
19 negotiate resolutions, then we do have the option of
20 filing these formal requests to the Committee, who
21 then is asked to step in and decide whether or not a
22 data request is relevant and the information should
23 be provided.

24 The committee also, of course, has the
25 discretion to ask questions, whenever it sees fit,
26 and to issue orders accordingly asking the parties to

1 address particular issues that they want to receive
2 information on.

3 MR. MOORE: Thank you, Arlene.

4 MS. ICHIEN: Did that respond --

5 MR. MOORE: It does, and I thank you very
6 much.

7 To the Applicant, Paul? Jeff? You sent
8 us a letter indicating that you have some difficulty
9 with the data requests. I don't know how many of
10 those have been resolved at this point. You might be
11 able to bring us up to date. I'm not sure that we
12 were expecting full resolution because as Kristina
13 said, there will be workshops, you know, in which
14 that will come up, but maybe you can give us and the
15 public an overview of where you are.

16 MR. HARRIS: We did file our objections
17 to certain data requests, but not all of them,
18 obviously. Those data requests under the statutes
19 and regulations would require --

20 MR. MOORE: You know, Jeff, would you
21 stand up. We can hardly hear you.

22 MR. HARRIS: Under the regulations we're
23 required within 16 days to let the staff know if
24 there is certain data requests that we want to have
25 further discussions with the staff on these issues.
26 So we filed that on the 16th and most of the staff, I

1 think, just recently got it. So I'm sure they
2 haven't had time to quickly review all of those
3 things, but our intent to is work closely with the
4 staff and informally in the process that was just
5 described, make sure that we can define these issues,
6 flush them out with all of the parties, and figure
7 out what the common ground is and, basically, move
8 forward very informally.

9 You described a very formal proceed that
10 is ultimately the final resolution. We don't
11 anticipate ever getting to that point. We really
12 want to work with the staff closely on all these
13 issues, make sure we're understanding the questions,
14 make sure we can get the data in a forum that is
15 usable, and get it out to everybody else as well.
16 We're looking forward to those workshops. You know,
17 the main few issues that we think we have to work out
18 all related to the issues that have been described
19 just a few minutes ago. So I think we have our hand
20 around the issues, and now we just need to sit down
21 and kind of hammer these things out.

22 We're looking forward to working with the
23 staff on that.

24 MR. MOORE: Thank you. Let me say that
25 one of the roles of a committee like this of publicly
26 appointed officials like Ms. Sharplass and myself is

1 that we respond to information. We're not here to
2 penalize anyone. We're here to make sure that an
3 application from these folks is fairly considered and
4 that everyone who's interested in it gets a chance to
5 understand that information to the best of their
6 ability and tell us what they think. And in the end,
7 we will make a decision based on what we hear.

8 So our objective is not -- our
9 objective as just indicated to fight with anyone or
10 anything else. We just want to make sure everything
11 that we have is adequate, clear, and understandable
12 information on which to make a decision.

13 That's our job. That is what you pay us
14 for is to make good decisions. So there -- is, at
15 least, one of the intervenors here.

16 Would you like to say anything on behalf
17 of CURE?

18 MS. POOL: I am one of those intervenors.
19 My name is Kate Pool. I represent California Union
20 for Reliable Energy. With me is Dr. Phillis Fox, who
21 is one of our consultants. And feel free to ask me
22 any questions if you want to.

23 MR. MOORE: Are there representatives
24 from other intervenors here?

25 Okay. Anybody in the public that would
26 like to ask us a question about what we're doing and

1 why we're doing it?

2 MR. SMITH: Yeah, I would.

3 MR. MOORE: Yes, sir. Can I have your
4 name, please.

5 MR. SMITH: Bill Smith.

6 MR. MOORE: Bill Smith.

7 MR. SMITH: Retired resident here.

8 What are you going to do for us as a
9 community?

10 MR. MOORE: Well, I'll tell you right
11 now, I can't define what we will do for you as a
12 community, but as a part of the process where they
13 reveal the full nature of their plan, and we hold
14 hearings on it, there will be certain things where
15 we'll come to a conclusion that there ought to be a
16 community improvement or a contribution to the
17 community or a change in design that benefits the
18 community.

19 So as a result of the hearings that we go
20 through over the next year, the kinds of things that
21 the community as a whole, you and all your neighbors,
22 are worried about will get told to us, and when we go
23 through and say -- for instance, we should certify
24 this plan. We will typically certify it with a list
25 of conditions that they have to comply with, some of
26 which may include community improvements.

1 So I can't tell you today because,
2 frankly, this is our first chance to really see the
3 project. But over the course of the year, where we
4 hold these very public hearings and discuss what they
5 propose, what they propose to do, over what time
6 frame, the concerns of the community will come out,
7 and they'll get incorporated in the decision that we
8 make. So --

9 MR. SMITH: My thought is very, very
10 simple. If you're going to build an electric
11 plant and be in the electric business, why can't we
12 get some streetlights out of it?

13 MR. MOORE: Okay.

14 MR. SMITH: You're going to be here, and
15 you're going to be involved, you know, we are going
16 to have to put up with you. You're going to be on
17 our roads and every place else. In our mind, why
18 can't we have a few badly-needed street lights
19 because you're in the business.

20 MR. FAY: I want to clarify, the
21 committee up here is from the State of California.

22 MR. SMITH: I'm looking at the whole
23 thing.

24 MR. FAY: Texaco is the company of the
25 Applicant, and I think you're talking about them --

26 MR. SMITH: All you people put

1 together -- you're doing it.

2 MR. MOORE: And that's fair. The --
3 you're living in an unincorporated area of Kern
4 County, and the supervisors who represent you are
5 responsible for land-use decisions, and they get
6 involved in this process. So the question --

7 MR. SMITH: Never been out here one
8 time. And we're usually not on the map. We like
9 that idea.

10 MR. MOORE: I'll make a call to your
11 supervisor before the next hearing and make sure they
12 know you're on the map.

13 MR. SMITH: Appreciate that. Thank
14 you.

15 MR. MOORE: All right. Anyone else that
16 would like to ask us a question?

17 All right. With that you'll see and here
18 from us again.

19 Before we close this up tonight, I just
20 want to thank our host, Texaco, for the food. I
21 think that was very generous and nice. It's
22 certainly in the community spirit, and that's the way
23 we would like to operate and be accessible, again,
24 within limits given the cloak of ex-parte
25 communications that we have to operate under.

26 So you can find us. We're very

1 accessible via the web or through our public advisor
2 and look forward to working with you.

3 Thank you very much for coming.

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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF KERN)

3

4

5 I, Tricia D. Burt, a Certified Shorthand
6 Reporter for the State of California, holding
7 Certificate No. 11518, do hereby certify that I was
8 present and reported in stenotypy all the proceedings
9 in the foregoing-entitled matter; and I further
10 certify that the foregoing is a full, true and
11 correct statement of such proceedings and a full,
12 true and correct transcript of my stenotype notes
13 thereof.

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15 Dated at Bakersfield, California, on
16 March 31, 1999.

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Tricia D. Burt, CSR No. 11518

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